

NELSON P. COHEN
United States Attorney

GARY M. GUARINO
Assistant U.S. Attorney
222 West Seventh Avenue, #9
Anchorage, Alaska 99513-7567
Phone: (907) 271-5071
Fax: (907) 271-2344
E-mail: gary.guarino@usdoj.gov

Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

KIMBERLY ALLEN, Personal
Representative of the Estate of TODD
ALLEN, Individually, on Behalf of the
Estate of TODD ALLEN, and On Behalf
of the Minor Child, PRESLEY GRACE
ALLEN

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 3:04-cv-0131-JKS

UNITED STATES'
NOTICE OF APPEAL

Notice is hereby given, pursuant to Rule 3 of the Federal Rules of Appellate Procedure, that the Defendant United States of America appeals to the

United States Court of Appeals for the Ninth Circuit from the Judgment and the findings of fact, conclusions of law, and decision entered by the district court in this action on November 29, 2007 [Docket 138, 137].

RESPECTFULLY SUBMITTED on January 25, 2008, in Anchorage, Alaska.

Nelson P. Cohen
United States Attorney

s/Gary M. Guarino
Assistant U.S. Attorney
222 West 7th Ave., #9, Rm. 253
Anchorage, AK 99513-7567
Phone: (907) 271-5071
Fax: (907) 271-2344
E-mail: gary.guarino@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2008,
a copy of the foregoing **Notice of Appeal** was served
electronically on Donna McCready.

s/ Gary M. Guarin